



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/245,798	02/05/1999	MIKE O'DONNELL	1690-1-1	5408
996	7590	02/14/2006	EXAMINER	
GRAYBEAL, JACKSON, HALEY LLP 155 - 108TH AVENUE NE SUITE 350 BELLEVUE, WA 98004-5901			VAN DOREN, BETH	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/245,798	O'DONNELL ET AL.	
	Examiner	Art Unit	
	Beth Van Doren	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 126-145 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 126-145 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/25/2005 has been entered.

2. The following is a non-final office action in response to the request for continued examination received on 11/25/05. Claims 120-125 have been canceled. Claims 126, 128, and 129 have been amended. Claims 133-145 have been added. Claims 126-145 are now pending in this application.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 144 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 144 has unclear antecedent basis. Claim 144 recites “wherein the message includes a network address of a web page containing an indication that the copy was made with permission”. It is unclear as to whether the limitation “the message” is referring to the acceptance message of claim 142, element (e), or the human readable message of claim 143. Based on the language of claim 144, it seems as though claim 144 would more properly depend

Art Unit: 3623

from claim 143, and it has been construed as such for examination purposes. Clarification and/or correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 128-131, 142, and 145 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. 5,991,876).**

As per claim 128, Johnson et al. teaches claim 128, elements (a)-(d). Claim 128, elements (a)-(d) are substantially similar to claim 126, elements (a)-(d), and therefore are rejected using the same art and rationale set forth above in the rejection of claim 126.

Johnson et al. further teaches:

(e) receiving from the third computer on the network a message indicating acceptance of the offered terms and responding to the third computer with a message that the acceptance has been received and acknowledged (See figures 2 and 7, column 3, lines 25-55, column 4, lines 55-67, column 9, line 35-column 10, line 15 and lines 41-60, wherein the third computer (the client) accepts the terms and the acceptance is acknowledged);

(f) after the message indicating acceptance is received, as a consequence of having received the acceptance, the clearinghouse server system processes the order for a copy of the work of authorship for printing on paper (See figure 7, column 7, lines 40-55, column 8, lines 1-

Art Unit: 3623

22, column 9, lines 35-55, column 10, lines 40-60, wherein the third computer/client request the order of paper copies be supplied).

Johnson et al. further discloses that educational institutions are rights holders that make copies and course packets (See column 2, lines 5-20, column 3, lines 5-15, column 7, lines 40-55, and column 8, lines 15-22, wherein educational institutions make copies in the form of course packets).

However, Johnson et al. does not expressly disclose that the order is processed by sending a copy to a printer or delivering copies.

Johnson et al. discloses that an authorized user orders paper copies, via the clearinghouse system, wherein the order is processed. Johnson et al. further discloses storing information about the authorized user, such as the user's address. Johnson also discloses an order option, as disclosed in column 10, line 55, is a request that copies (i.e. paper copies) be supplied. Finally, Johnson et al. discloses an educational institution making course packets. Therefore, the educational institution would have a copy from which they would print multiple paper copies for use by students. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to process the order for paper copies and supply the copies by sending the copy to the printer and delivering the printed copies in order to increase customer service by having the publishing system make copies at their own associated printer and send the copies, rather than sending a single copy to an institution and having them make copies using their own printers (i.e. saving steps for the customer increases customer satisfaction).

Art Unit: 3623

Johnson et al. teaches claim 129, elements (a)-(e). Claim 129, elements (a)-(e) are substantially similar to claim 128, elements (a)-(e), and therefore are rejected using the same art and rationale set forth above in the rejection of claim 128.

Johnson et al. further teaches:

(f) storing a record of the accepted license and making the record available for look-up from a computer on the publicly accessible network (Column 3, lines 44-57, column 8, lines 1-20, column 9, lines 35-67, wherein the record is stored and accessible in the system).

However, Johnson et al. does not expressly disclose making the record of the license available to anyone from any computer on the publicly accessible network.

Johnson et al. discloses storing records of accepted licenses and terms of these licenses in the system, wherein the records are available for look-up from a computer on the Internet. It is well known in network security that the availability of a database to be accessed over a network is based on the security settings associated with such data. It would have been obvious to one of ordinary skill in the art at the time of the invention to include low security settings, allowing anyone to access the records concerning licensing agreements in order to more efficiently reduce the illegal use and distribution of copyrighted works by allowing a member of the public to have enough information to verify whether a work is licensed or not, thus allowing the member to contact appropriate persons if the used work is not licensed.

As per claim 130, Johnson et al. teaches wherein the step of presenting license offering registration web pages is performed by a server in the server system and the step of presenting to the third computer a licensing web page is performed by a server in the server system (See figure 2, abstract, column 3, lines 45-60, column 4, lines 45-67, column 9, line 55-column 10, line 15).

Art Unit: 3623

However, while Johnson et al. discloses a network with client/server functionality and multiple computers, Johnson et al. does not expressly disclose multiple servers in this client/server network.

A server is merely a computer on a network that “serves” data to the rest of the network. Since Johnson et al. discloses a network with client/server functionality and multiple computers it would have been obvious to one of ordinary skill in the art at the time of the invention to include multiple servers that share the functions of the network in order to increase the efficiency of the network by performing load balancing. See column 11, lines 19-25, wherein the design choices for the system are left up to the programmer, etc.

As per claim 131, Johnson et al. teaches wherein functions of the server system are distributed across a plurality of physical computers and at least one of the server system steps is performed in the first computer (See figure 2, abstract, column 3, lines 45-60, column 4, lines 45-67, column 9, line 55-column 10, line 15, wherein the function of the server system are distributed).

Claim 142 is substantially similar to claim 128, and is therefore rejected over Johnson et al. using the same rationale set forth above. Johnson et al. further teaches a database component that stores the registrations (See column 2, line 63-column 3, line 5, column 4, lines 35-60).

Claim 145 is substantially similar to claim 129, and is therefore rejected over Johnson et al. using the same rationale set forth above. Johnson et al. further teaches a database component that stores the registrations (See column 2, line 63-column 3, line 5, column 4, lines 35-60).

Art Unit: 3623

7. Claims 126-127, 133, 136-139, 143, and 144 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. 5,991,876) in view of Holmes et al. (U.S. 6,119,108).

As per claim 126, Johnson et al. teaches a clearinghouse server system method for receiving from publishers of works of authorship offers of licenses, presenting the offers to potential licensees, and, in response to acceptances, without intermediate human activity, transmitting a copy of a work, comprising:

(a) presenting on a computer network license offering registration web pages usable by a plurality of publishers to enter for each of a plurality of works of authorship information to identify the work and all terms for offering a license to make a use of the work (See figures 5-6, column 3, lines 1-17 and 25-58, column 4, lines 55-67, table 4, column 8, lines 45-57, column 9, lines 55-67, and column 10, lines 17-40, wherein works are registered by a plurality of publishers to identify the work and terms of the work);

(b) receiving on the registration web pages from a first computer and a second computer on the network information for a first registration record for a first work of authorship from a first publisher and for a second registration record for a second work of authorship from a second publisher (See figures 4-6, column 2, line 63-column 3, line 17, column 4, lines 55-67, table 4, column 8, lines 45-57, column 9, lines 55-67, and column 10, lines 17-40, wherein a network is used and a first and second registration record are recorded);

(c) storing on the server system a first registration record and a second registration record, the data stored in the first registration record specifying an identifier of the first work of authorship and all terms for offering to license the first work of authorship (See the abstract,

Art Unit: 3623

figure 4, column 2, line 63-column 3, line 17, column 5, lines 12-30, column 7, lines 1-11 and 40-55, column 8, lines 10-20 and 35-44, wherein registration records are stored on the server system with the licensing terms);

(d) receiving from a third computer on the network the identifier of the first work of authorship and, in response, presenting to the third computer a license offering web page incorporating all of the terms for offering a license to make a use of the first work of authorship (See figures 2 and 7, column 4, lines 55-67, column 9, line 55-column 10, line 15 and lines 41-60, wherein an offer is presented to the user over the internet using the client/server architecture);

(e) receiving from the third computer on the network a message indicating acceptance of the offered terms and responding to the third computer with a message that the acceptance has been received and acknowledged, and, as a consequence of having received the message indicating acceptance of the offered terms, allowing the third computer via the network access to an electronic copy of the first work of authorship (See figures 2 and 7, column 3, lines 25-55, column 4, lines 55-67, column 9, line 35-column 10, line 15 and lines 41-60, wherein the third computer (the client) accepts the terms and the acceptance is acknowledged. See also figure 7, column 7, lines 1-10 and 40-55, column 9, lines 35-55, column 10, lines 40-60, wherein the third computer/client accesses and uses an electronic copy of the work for use).

However, Johnson et al. does not expressly disclose that as a consequence of having received the message indicating acceptance of the offered terms, the third computer is sent via the network an electronic copy of the first work of authorship.

Holmes et al. discloses a user requesting and receiving rights to an electronic object (i.e. copyrightable work, document) via a network-based system, wherein when the user indicates

Art Unit: 3623

acceptance of terms (i.e. user accepts payment for rights), the user is conveyed a hardcopy of the document (See figure 2, column 2, lines 25-45, column 5, lines 25-40 and 45-60, wherein a hardcopy is displayed at the user computer).

Both Johnson et al. and Holmes et al. teach electronic rights systems that allow for enforcement of copyrights associated with published documents and also allow for the obtainment of rights to use these documents. Johnson et al. discloses that once the third computer (the client) accepts the terms and the acceptance is acknowledged the third computer/client is able to access and use an electronic copy of the work via the network. Holmes also discloses that a client accepts terms and pays for use of the copyrighted material, and once this acceptance is acknowledged, a hardcopy of the document is conveyed to the client via the network. It would have been obvious to one of ordinary skill in the art at the time of the invention to send via the network an electronic copy of the first work of authorship in order to more accurately account for all the aspects of conferring right (i.e. types of use, etc.) by providing fully automated rights management and authorization. See column 2, lines 40-67, of Johnson et al.

As per claim 127, Johnson et al. teaches wherein the electronic copy includes electronically coded text (See figure 7, column 7, lines 1-10 and 40-55, column 9, lines 35-55, column 10, lines 40-60, wherein an electronic copy of written works, for example, would be electronically coded text).

As per claim 133, Johnson et al. teaches making an electronic copy with permission of an owner of copyrights in the first work of authorship (See figures 2 and 7, column 3, lines 25-55, column 4, lines 55-67, column 9, line 35-column 10, line 15 and lines 41-60). However, Johnson

Art Unit: 3623

et al. does not expressly disclose that the electronic copy includes a human readable message indicating that the copy was made with permission of an owner of copyrights in the first work of authorship.

Holmes et al. discloses that the electronic copy includes a human readable message indicating that the copy was made with permission of an owner of copyrights in the first work of authorship (See figure 2).

Both Johnson et al. and Holmes et al. teach electronic rights systems that allow for enforcement of copyrights associated with published documents and also allow for the obtainment of rights to use these documents. Johnson et al. discloses allowing the user to make copies of the document, as per the licensing agreement. Marking reproduced, copyright material with a disclaimer is well known in the art of licensing. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the message of Holmes et al. that indicates the copy was made with permission of an owner of copyrights in order to more efficiently decrease the illegal use and distribution of copyrighted works and thus ensure that copyright holders receive their appropriate fees. See column 1, lines 5-15, and column 2, lines 5-25, of Holmes et al. that discuss the importance of stopping illegal reuse of copyrighted materials.

Claim 136 recites equivalent limitations to claim 133 and is therefore rejected using the same art and rationale as set forth above.

As per claim 137, Johnson et al. teaches a copy being made with permission of an owner of copyrights in the first work of authorship (See figures 2 and 7, column 3, lines 25-55, column 4, lines 55-67, column 9, line 35-column 10, line 15 and lines 41-60). However, Johnson et al.

Art Unit: 3623

does not expressly disclose that the copy includes a network address of a webpage containing an indication verifying that the copy was made with permission of the owner of copyrights in the first work of authorship.

Holmes et al. discloses that a copy of the work includes a human readable message indicating and verifying that the copy was made with permission of an owner of copyrights in the first work of authorship (See figure 2). However, Holmes et al. does not expressly disclose that this message includes a network address of a webpage.

Holmes et al. discloses a message on a copy of a work indicating that the document was recreated and/or distributed in coherence with the terms and conditions agreed to at the time of purchase. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a network address of a webpage in the this message in order to more accurately maintain the formatting and look of the original document by reducing the amount of text added around the document. See column 5, lines 45-60, of Holmes et al., which discloses the importance maintaining the look of the original document.

Claim 138 is substantially similar to claim 126, and is therefore rejected over Johnson et al. using the same rationale set forth above. Johnson et al. further teaches a database component that stores the registrations (See column 2, line 63-column 3, line 5, column 4, lines 35-60).

Claims 139, 143, and 144 recite equivalent limitations to claims 133, 133, and 137, respectively, and are therefore rejected using the same art and rationale as set forth above.

Art Unit: 3623

8. Claim 132 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. 5,991,876) in view of Digital Object Identifier (DOI) system. The following references disclose aspects of the DOI system:

- i. Article “STM houses, CCC showcase latest DOI prototype via AAP” by Calvin Reid (referred to herein as reference A);
- ii. Article “Metadata for the Millennium” by James Lichtenberg (referred to herein as reference B);
- iii. Article “AAP unveils DOI as PSP Confab” by Calvin Reid (referred to herein as reference C);
- iv. Article “Association of American Publishers proposes a digital object identifier (DOI) or electronic access to publications” from *Information Intelligence, Online Libraries, and Microcomputers* (referred to herein as reference D).

As per claim 132, Johnson et al. teaches publishing a work of authorship and allowing a user of the third computer to click on a hot spot that allows the user to obtain the rights to the work of authorship (See figure 7, column 2, lines 20-55, column 8, lines 5-22, and column 10, lines 40-60). However, Johnson et al. does not expressly disclose and the DOI system discloses that the work is published from a server on the network with the identifier of the first work embedded such that, when the first work of authorship is displayed on the third computer and a user of the third computer clicks on a hot spot in the work of authorship, the embedded identifier is used to form a network address that links the third computer to the license offering web page for the first work of authorship (See at least reference A, page 1, section 2, reference B, page 2,

Art Unit: 3623

sections 2-4, and reference C, page 1, sections 2-3, wherein the user encounters a digital work on the network and the user clicks of the DOI graphic, which links the user to a licensing page associated with the work).

Johnson et al. discloses a user viewing a published work and a network based server system with a hotspot that a user accesses to link to the terms and rights of a license in at least figure 7, column 2, lines 20-55, column 8, lines 5-22, column 9, lines 57-67, and column 10, lines 40-60. The DOI system discloses hotspots located directly in the work that the requesting user wishes to license, clicking on hotspots to link to licensing webpages, and using a presented licensing web page associated with the work to accept the offered license terms. Examiner points out that reference A discloses the DOI system used by the Copyright Clearance Center, who is the assignee of the Johnson et al. patent. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to integrate the hot spot into the published work enable the user to access the registration webpage and accept the terms in order to increase the ease of use of the system for the consumer by placing a link by which the user can automatically and efficiently accept the terms. See at least reference B, page 2, sections 1-4, and reference D, section 1, which discusses increasing the ease with which the consumer can identify the owner of a work of authorship and license said work.

9. Claims 134-135 and 140-141 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. 5,991,876) in view of Holmes et al. (U.S. 6,119,108) and in further view of Digital Object Identifier (DOI) system. The following references disclose aspects of the DOI system:

Art Unit: 3623

- i. Article “STM houses, CCC showcase latest DOI prototype via AAP” by Calvin Reid (referred to herein as reference A);
- ii. Article “Metadata for the Millennium” by James Lichtenberg (referred to herein as reference B);
- iii. Article “AAP unveils DOI as PSP Confab” by Calvin Reid (referred to herein as reference C);
- iv. Article “Association of American Publishers proposes a digital object identifier (DOI) or electronic access to publications” from *Information Intelligence, Online Libraries, and Microcomputers* (referred to herein as reference D).

As per claim 134, Johnson et al. teaches making an electronic copy with permission of an owner of copyrights in the first work of authorship (See figures 2 and 7, column 3, lines 25-55, column 4, lines 55-67, column 9, line 35-column 10, line 15 and lines 41-60). However, neither Johnson et al. nor Holmes et al. expressly disclose that the electronic copy includes a network address of a web page containing an indication verifying that the copy was made with permission of an owner of copyrights in the first work of authorship.

The DOI system discloses a DOI graphic included in an electronic copy of a document, the DOI graphic including a network address of a web page, the web page verifying that the publisher is aware of the copy (i.e. through the showing of the graphic), which links the user to a licensing page associated with the work (See reference A, page 1, section 2, reference B, page 2, sections 1-4, reference C, page 1, section 3).

Both Johnson et al. and Holmes et al. teach electronic rights systems that allow for enforcement of copyrights associated with published documents and also allow for the obtainment of rights to use these documents. Johnson et al. discloses allowing the user to make copies of the document, as per the licensing agreement. Marking reproduced, copyright material with a disclaimer is well known in the art of licensing. The DOI system discloses icons located directly in the work, the icon containing an address that links to a webpage with the rights information associated with the work. Examiner points out that reference A discloses the DOI system used by the Copyright Clearance Center, who is the assignee of the Johnson et al. patent. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to integrate an address into a work to enable the user to verify that the copy was made with permission of the owner in order to more efficiently decrease the illegal use and distribution of copyrighted works and ensure that copyright holders receive their appropriate fees by implementing efficient means by which works can be checked and verified.

As per claim 135, Johnson et al. teaches making an electronic copy with permission of an owner of copyrights in the first work of authorship (See figures 2 and 7, column 3, lines 25-55, column 4, lines 55-67, column 9, line 35-column 10, line 15 and lines 41-60). However, Johnson et al. does not expressly disclose and Holmes et al. does not expressly disclose that the electronic copy includes a hotspot, that, when selected by a user when the electronic copy is displayed on a computer display, causes a browser to send a retrieve request to the network address of the web page containing a message verifying that the copy was made with permission of an owner of copyrights in the first work of authorship.

The DOI system discloses a hotspot (i.e. DOI graphic) included in an electronic copy of a document, the hotspot when selected causing a browser to link to a network address of a web page, the web page verifying that the publisher is aware of the copy (i.e. through the showing of the graphic), which links the user to a licensing page associated with the work (See reference A, page 1, section 2, reference B, page 2, sections 1-4, reference C, page 1, section 3).

Both Johnson et al. and Holmes et al. teach electronic rights systems that allow for enforcement of copyrights associated with published documents and also allow for the obtainment of rights to use these documents. Johnson et al. discloses allowing the user to make copies of the document, as per the licensing agreement. Marking reproduced, copyright material with a disclaimer is well known in the art of licensing. The DOI system discloses icons located directly in the work, the icon containing an address that links to a webpage with the rights information associated with the work. Examiner points out that reference A discloses the DOI system used by the Copyright Clearance Center, who is the assignee of the Johnson et al. patent. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to integrate an address into a work to enable the user to verify that the copy was made with permission of the owner in order to more efficiently decrease the illegal use and distribution of copyrighted works and ensure that copyright holders receive their appropriate fees by implementing efficient means by which works can be checked and verified.

Claims 140-141 recite equivalent limitations to claims 134-135 and are therefore rejected using the same art and rationale as set forth above.

Art Unit: 3623

Response to Arguments

Applicant's arguments with respect Johnson et al. (U.S. 5,991,876) have been considered but are moot in view of the new grounds of rejection, as necessitated by amendment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737.

The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ewd
bvd

February 6, 2006

Beth Van Doren
Patent Examiner
Tech Center 3600